

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

MARCIA R. POLK individually and on)	
behalf of others similarly situated,)	
)	
Plaintiff,)	
)	
v.)	No. 1:19-cv-04529-JPH-MJD
)	
SSCP PROPERTY MANAGEMENT, LLC)	
d/b/a SNAPBOX STORAGE,)	
)	
Defendant.)	

**ORDER GRANTING JOINT MOTION FOR CONDITIONAL
CERTIFICATION OF A FLSA COLLECTIVE ACTION AND APPROVAL
OF PROPOSED COLLECTIVE ACTION NOTICE**

Before the Court is the parties' Joint Motion for Conditional Certification of a FLSA Collective Action and Approval of Proposed Collective Action Notice. Dkt. [16]. The Court, having reviewed the motion and being duly advised, **GRANTS** the motion. **IT IS THEREFORE ORDERED** that:

1. Pursuant to 29 U.S.C. §216 (b), this matter is conditionally certified as a Fair Labor Standards Act Collective Action with regard to the collective group described as follows: Present and former hourly paid Property Managers who worked for Defendant at any time from November 12, 2016, to present. Plaintiff Marcia Polk will represent the Opt-In Plaintiffs in the FLSA Collective Action.
2. Notice will be sent to the collective group described in paragraph 1 using the approved "FLSA Collective Action Notice," which was attached to the Joint Motion as **Exhibit 1**.

3. Defendant, by counsel, shall provide Plaintiff's counsel a complete list of the names and addresses of all persons within the collective group described in paragraph 1 within 20 days of the date of this Order.

4. The putative collective members shall have 60 days to return signed Consent to Join forms commencing from the date Plaintiff's counsel mails the Class Action and Collective Action Notices to the putative collective members. Plaintiff's counsel will notify the Court and Defendant of the date of mailing. The Court approves the "Consent to Join" form attached as **Exhibit 2** to the Joint Motion to be used by the putative members to opt-in to the action.

5. The Court approves the following agreed-upon notice schedule as summarized forth above:

DEADLINE	DESCRIPTION OF DEADLINE
20 Days From Order Approving Notice to Putative Collective Members	Defendant to disclose the full names, last known addresses, and dates of employment of the putative collective members. This information shall be produced in a usable electronic format.
20 Days From Receipt of Contact Information of Putative Collective Members From Defendants	Plaintiff's Counsel shall send by mail a copy of the Approved Notice and Consent to Join Form to the putative collective members.

60 Days From Date Notice is Mailed to Putative Collective Members	The putative collective members shall have 60 days to return their signed Consent to Join forms for filing with the Court. The 60-day period shall commence on the postmark date of the mailing of the Approved Notice. Notice shall be considered timely received if postmarked no later than the end of the 60-day notice period and filed by Plaintiff's counsel within seven (7) days after receipt.
---	--

6. Defendant will retain the right to seek de-certification of the collective action in the future and nothing in the Joint Motion or this Order will be construed as Defendant waiving any arguments about contesting the future appropriateness of certification and/or the merits of Plaintiffs' claims.

SO ORDERED.

Date: 1/15/2020



James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

Robert Peter Kondras, Jr.
HASSLER KONDRAS MILLER LLP
kondras@hkmlawfirm.com

Michael W. Padgett
JACKSON LEWIS PC (Indianapolis)
michael.padgett@jacksonlewis.com

Melissa K. Taft
JACKSON LEWIS PC (Indianapolis)
melissa.taft@jacksonlewis.com